

Mail Stop: PCT
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

IAP6 Rec'd PCT/PTO 15 MAY 2006

In re application of: Ronald Aung-Din
 International Application No: PCT/US2004/019816
 Serial No.: 10/560,889
 Filed: December 15, 2005
 For: **TOPICAL THERAPY FOR THE TREATMENT OF MIGRAINES, MUSCLE SPRAINS, MUSCLE SPASMS, SPASTICITY AND RELATED CONDITIONS**

Sir:

Transmitted herewith is an **Response to Notification of Missing Requirements (2 pages)** in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
☐ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	AFTER	PREVIOUSLY	RATE	FEE		RATE	FEE
				PRESENT					
	AMENDMENT	PAID FOR		EXTRA					
TOTAL CLAIMS	27	Minus 91	=	0	x \$	25		x \$	50
INDEP. CLAIMS	25	Minus 25	=	0	x \$	100		x \$	200
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						80		+	\$360
					TOTAL:	\$	OR	TOTAL:	\$.00

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:
☐ Petition for three extension under 37 C.F.R. 1.136
☒ Other: **Executed Declaration and Power of Attorney Form (1 page); copy of Notification of Missing Requirements (2 pages); and return receipt postcard.**
- ☒ Check(s) in the amounts of **\$65.00** is attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition for three (3) months extension under 37 C.F.R. 1.136
☒ Other: **Filing Surcharge**
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
☒ Any patent application processing fees under 37 C.F.R. 1.17.
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Richard V. Zanzalari

Richard V. Zanzalari, Reg. No. 49,032
 DAVIDSON, DAVIDSON & KAPPEL, LLC
 485 Seventh Avenue, 14th Floor
 New York, New York 10018
 (212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service with sufficient postage as "first class mail" in an envelope addressed to "Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 12, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *Akil Chevalier*
 Akil Chevalier

UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: Ronald AUNG-DIN

Serial No.: 10/560,889

Filed: December 15, 2005, as national phase of International
Application No. PCT/US2004/019816, filed June 21, 2004

For: **TOPICAL THERAPY FOR THE TREATMENT OF
MIGRAINES, MUSCLE SPRAINS, MUSCLE
SPASMS, SPASTICITY AND RELATED
CONDITIONS**

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 12, 2006

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE DESIGNATED/ELECTED OFFICE, mailed March 29, 2006, a copy of which is attached, Applicants enclose herewith an executed Declaration and Power of Attorney document (1 page) and a check for \$ 65.00 to cover the filing surcharge.

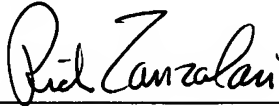
05/19/2006 MKAYPAGH 00000126 10560889

01 FC:2617

65.00 0P

If any additional fees are deemed to be due at this time, the Commissioner is authorized to charge said fee to Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Richard V. Zanzalari
Reg. No. 49,032

DAVIDSON, DAVIDSON, & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,889	Ronald Aung-Din	523.1006US

INTERNATIONAL APPLICATION NO.
PCT/US04/19816

I.A. FILING DATE	PRIORITY DATE
06/21/2004	06/20/2003

23280

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 SEVENTH AVENUE, 14TH FLOOR
NEW YORK, NY 10018

RECEIVED

APR 06 2006

DAVIDSON, DAVIDSON & KAPPEL

CONFIRMATION NO. 3655

371 FORMALITIES LETTER



OC000000018389317

Date Mailed: 03/29/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/15/2005
- Copy of the International Search Report filed on 12/15/2005
- Preliminary Amendments filed on 12/15/2005
- Oath or Declaration filed on 12/15/2005
- Request for Immediate Examination filed on 12/15/2005
- U.S. Basic National Fees filed on 12/15/2005
- Priority Documents filed on 12/15/2005

IPM 4/6/2006

10/29/06 Missing Parts (Deadline)

5/29/06 Missing Parts (Due Date)

4/29/06 & 5/22/06 Reminders

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

CUD/01/RVZ

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,889	PCT/US04/19816	523.1006US

FORM PCT/DO/EO/905 (371 Formalities Notice)